

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (CURRENTLY AMENDED) A method for obtaining a transgenic maize plant which comprises:

- (a) preparing genomic DNA of greater than ~~40-kb~~ 20 kb from DNA of a donor sorghum plant species;
- (b) transforming plant cells of a recipient maize plant with said genomic DNA associated with at least one selectable marker;
- (c) selecting transformed maize plant cells;
- (d) regenerating maize plants from the transformed maize plant cells;
- (e) harvesting seed from the regenerated maize plants;
- (f) planting the harvested maize seed and growing the resultant maize plants;
- (g) analyzing the maize plants for improved agronomic characteristics; and
- (h) selecting maize plants having an improved agronomic characteristic.

2 – 3. (CANCELED)

4. (CURRENTLY AMENDED) The method of claim 1 which further comprises selfing said selected maize plants and harvesting resultant maize seed.

5. (CURRENTLY AMENDED) The method of claim 1, wherein seed is harvested from regenerated maize plants which have been backcrossed to the recipient maize plant species.

6. (CURRENTLY AMENDED) The method of claim 1, which further comprises introducing said selected maize plants having an improved agronomic characteristic into a breeding program to produce progeny of said maize plants, said progeny maintaining said improved agronomic characteristic.

7. (CANCELED)

8. (CURRENTLY AMENDED) A transgenic maize plant produced by the process of claim 1, wherein said transgenic maize plant comprises said sorghum genomic DNA.

9 – 10. (CANCELED)

11. (CURRENTLY AMENDED) A transgenic maize plant produced by the process of claim 4, wherein said transgenic maize plant comprises said sorghum genomic DNA.

12. (CURRENTLY AMENDED) A transgenic maize plant produced by the process of claim 5, wherein said transgenic maize plant comprises said sorghum genomic DNA.

13. (CURRENTLY AMENDED) A transgenic maize plant produced by the process of claim 6, wherein said transgenic maize plant comprises said sorghum genomic DNA.

14. (CANCELED)

15. (CURRENTLY AMENDED) A method for obtaining a transgenic maize plant having an improved agronomic characteristic which comprises:

- (a) preparing genomic DNA of greater than ~~40 kb~~ 20 kb from DNA of a donor sorghum plant species;
- (b) inserting said genomic DNA ~~fragments~~ into a vector;
- (c) transforming plant cells of a recipient maize plant with said vector containing said genomic DNA associated with at least one selectable marker;
- (d) selecting transformed maize plant cells;
- (e) regenerating maize plants from the transformed maize plant cells;
- (f) harvesting seed from the regenerated maize plants;
- (g) planting the harvested maize seed and growing the resultant plants;
- (h) analyzing the maize plants for improved agronomic characteristics;
- (i) selecting maize plants having an improved agronomic characteristic;
- (j) harvesting seed from said selected maize plants; and
- (k) introducing seed from said selected maize plants into a breeding program to produce progeny of said maize plants, said progeny maintaining said improved agronomic characteristic.

16. (CURRENTLY AMENDED) The method of claim 15, wherein said genomic DNA ~~fragments~~ inserted into a vector ~~are inserted~~ is inserted between two selectable markers.

17. (CURRENTLY AMENDED) The method of claim 15, which further comprises selfing said selected maize plants after ~~step (l)~~ step (i) and harvesting resultant maize seed.
18. (CURRENTLY AMENDED) The method of claim 15, which further comprises backcrossing the recipient maize plant ~~species~~ to said selected maize plants after ~~step (l)~~ step (i) and harvesting resultant maize seed.
19. (CURRENTLY AMENDED) A transgenic maize plant produced by the process of claim 15, wherein said transgenic maize plant comprises said sorghum genomic DNA.
20. (CURRENTLY AMENDED) A transgenic maize plant produced by the process of claim 16, wherein said transgenic maize plant comprises said sorghum genomic DNA.
21. (CURRENTLY AMENDED) A transgenic maize plant produced by the process of claim 17, wherein said transgenic maize plant comprises said sorghum genomic DNA.
22. (CURRENTLY AMENDED) A transgenic maize plant produced by the process of claim 18, wherein said transgenic maize plant comprises said sorghum genomic DNA.